

REMARKS

Claims 2-6, 8, 9, 11, 14, 17, 18, 20, 22, 23, 28, and 29-31 are pending. Claims 29-31 have been added. Claims 2-6, 8, 9, 11, 14, 17, 18, 20, 22, 23, and 28 have been amended. Claims 21 and 25-27 have been cancelled without prejudice. Support for the amendments can be found throughout the specification and the figures. Further, these amendments have been made for reasons unrelated to patentability. No new matter is believed to have been added by these amendments.

35 U.S.C. § 102/103 Claim Rejections over Zhao

Claims 2-6, 8, 9, 11, 14 and 17, 18, 20-23, and 25-28 stand rejected as being anticipated by, or in the alternative obvious over Zhao et al. (US 6,514,602; hereinafter "Zhao"). Claims 21 and 25-27 have been cancelled, therefore, these rejections are moot. For the remaining rejections, The Applicants respectfully traverse this rejection.

Claims 2-6, 8, 9, 11, 14 and 17, 18, 20, 22, and 23 depend from new independent Claim 29. Claim 29 recites a personal care product having a biodegradable film including a stretched precursor film having a blended mixture of a biodegradable polymer resin and an etched water soluble polymer resin, where the stretched precursor film has a stretched length of about 100% to about 500% of its original length.

Zhao fails to teach or provide sufficient guidance to one of ordinary skill in the art to provide the claimed invention. Nowhere does Zhao teach or suggest a stretched film having a blended mixture of a biodegradable polymer resin and an etched water soluble polymer resin. Furthermore, the Examiner admits that Zhao fails to teach a precursor film that is "stretched from about 100 to about 500% of its original length" as presently claimed. (Office Action dated April 27, 2008, p. 3). Nowhere does Zhao teach or provide sufficient guidance to modify the prior art film to have the claimed elements. Thus, Zhao fails to teach each and every claimed element of the present application.

Because the Examiner has characterized the rejected claims as product-by-process claims, the Examiner has asserted that the article of the applied prior art is identical to or only slightly different than the claimed article. Claim 29, however, is a claim directed to a personal care product, and does not contain process elements. Thus, the

Examiner's basis for the rejection of the presented claims is moot. For the instant reasons, Zhao does not teach each and every element of the claimed invention. Claims 2-6, 8, 9, 11, 14, 17, 18, 20, and 22-23 depend from claim 29 and therefore, are allowable for the reasons stated above.

35 U.S.C. § 102/103 Claim Rejections over Wu

Claims 2-6, 8, 9, 11, 14 and 17, 18, 20-22, 24, 27, and 28 stand rejected as being anticipated by, or in the alternative obvious over Wu et al. (US 5,200,247; hereinafter "Wu"). Claims 21 and 25-28 have been cancelled, therefore, these rejections are moot. For the remaining rejections, The Applicants respectfully traverse this rejection.

As stated above, Claims 2-6, 8, 9, 11, 14 and 17, 18, 20, and 22 depend from Claim 29, which recites a personal care product having a biodegradable film including a stretched precursor film having a blended mixture of a biodegradable polymer resin and an etched water soluble resin, where the stretched precursor film has a stretched length of about 100% to about 500% of its original length. Wu does not teach or provide sufficient guidance for the claimed precursor film having a blended mixture of a biodegradable polymer resin and an etched water soluble resin. Therefore, Wu fails to teach each and every limitation of the claimed invention. Accordingly, The Applicants request that the Examiner withdraw the instant rejections of Claims 2-6, 8, 9, 11, 14, 17, 18, 20, and 22.

35 U.S.C. § 103 Claim Rejections over Zhao or Wu in view of Topolkaraev et al.

Claims 2-6, 8, 9, 11, 14 and 17, 18, 20-23, and 25-28 stand rejected as being obvious over Zhao in view of Topolkaraev et al. (US 5,800,758; hereinafter "Topolkaraev"). Claims 2-6, 8, 9, 11, 14 and 17, 18, 20-22, 24, 27, and 28 stand rejected as being obvious over Wu in view of Topolkaraev. Claims 21 and 25-28 have been cancelled, therefore, these rejections are moot. For the remaining rejections, The Applicants respectfully traverse this rejection.

As stated above, Claims 2-6, 8, 9, 11, 14 and 17, 18, 20, and 22 depend from Claim 29, which recites a personal care product having a biodegradable film including a stretched precursor film having a blended mixture of a biodegradable polymer resin and an etched water soluble resin, where the stretched precursor film has a stretched length of

about 100% to about 500% of its original length. Zhao and Wu fail to teach or suggest each and every one of the claimed elements of the present invention. The discrepancies of Zhao and Wu are not remedied by the addition of Topolkaraev. The Examiner argues that Topolkaraev discloses thermoplastic films which are stretched while operatively contacted with a bath of a desired surface-active liquid. However, Topolkaraev fails to teach or suggest a stretched precursor film having a blended mixture of a biodegradable polymer resin and an etched water soluble resin. Because this additional reference does not remedy any of the deficiencies of Zhao or Wu, the Applicants request that the Examiner withdraw the instant rejections of Claims 2-6, 8, 9, 11, 14 and 17, 18, 20, and 22. It would not have been obvious to one of skill in the art to modify the cited references to meet the limitations of the claimed invention.

SUMMARY

Pending Claims 2-6, 8, 9, 11, 14 and 17, 18, 20, 22, 23, and 29-31 as presented are patentable. The Applicants respectfully request the Examiner grant early allowance of this application. The Examiner is invited to contact the undersigned attorneys for the Applicant via telephone if such communication would expedite this application.

Respectfully submitted,

/Rashad L. Morgan/
Rashad L. Morgan
Registration No. 60,304
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200